

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Qwest Petition for Forbearance Under 47 U.S.C.	)	
§ 160(c) from Resale, Unbundling and Other	)	WC Docket No. 07-9
Incumbent Local Exchange Requirements	)	
Contained in Sections 251 and 271 of the	)	
Telecommunications Act of 1996 in the Terry,	)	
Montana Exchange	)	

**ORDER**

**Adopted: January 7, 2008**

**Released: January 7, 2008**

By the Deputy Chief, Wireline Competition Bureau:

1. In this Order, pursuant to section 10(c) of the Communications Act of 1934, as amended (the Act),<sup>1</sup> we extend by 90 days the date by which the petition requesting forbearance, filed by Qwest Corporation (Qwest),<sup>2</sup> shall be deemed granted in the absence of a Commission decision that the petition fails to meet the standards for forbearance under section 10(a) of the Act.<sup>3</sup>

2. On January 22, 2007, Qwest filed a petition requesting that the Commission forbear from “applying the requirements of 47 U.S.C. Sections 251(c) and 271(c) on Qwest, and from otherwise regulating Qwest as an incumbent local exchange carrier (LEC) in the Terry, Montana local exchange.”<sup>4</sup>

3. Section 10(c) of the Act states that a petition for forbearance shall be deemed granted if the Commission does not deny the petition for failure to meet the requirements for forbearance under section 10(a) within one year after the Commission receives it, unless the Commission extends the one-year period.<sup>5</sup> The Commission may extend the initial one-year period by an additional 90 days if the Commission finds that an extension is necessary to meet the requirements of section 10(a).<sup>6</sup>

4. The petition under review raises significant questions regarding whether forbearance from application of sections 251(c) and 271(c) of the Act to Qwest, and from otherwise regulating Qwest as an incumbent LEC in the Terry, Montana exchange meets the statutory requirements set forth in section 10(a). The Bureau thus finds that a 90-day extension is warranted under section 10(c).

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<sup>1</sup> 47 U.S.C. § 160(c).

<sup>2</sup> See Qwest Petition for Forbearance Under 47 U.S.C. § 160(c) from Resale, Unbundling and Other Incumbent Local Exchange Requirements Contained in Sections 251 and 271 of the Telecommunications Act of 1996 in the Terry, Montana Exchange, WC Docket No. 07-9 (filed Jan. 22, 2007) (Qwest Forbearance Petition).

<sup>3</sup> 47 U.S.C. § 160(a).

<sup>4</sup> Qwest Forbearance Petition at 1.

<sup>5</sup> 47 U.S.C. § 160(c).

<sup>6</sup> See, e.g., *Petition of Ameritech Corporation for Forbearance from Enforcement of Section 275(a) of the Communications Act of 1934, as amended*, CC Docket No. 98-65, Order, 14 FCC Rcd 6415 (Com. Car. Bur. 1999).

5. Accordingly, IT IS ORDERED that, pursuant to section 10 of the Communications Act of 1934, as amended, 47 U.S.C. § 160, and authority delegated under sections 0.91 and 0.291 of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291,<sup>7</sup> the date on which Qwest's forbearance petition shall be deemed granted, in the absence of a Commission denial of the petition for failure to meet the statutory standards for forbearance, is extended to April 21, 2008.

FEDERAL COMMUNICATIONS COMMISSION

Julie A. Veach  
Deputy Chief  
Wireline Competition Bureau

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<sup>7</sup> See 47 U.S.C. § 155(c).